



June 2006
Volume XV
No. 9

DBE News

Idaho Transportation Department
Published by DBE Supportive Services
Liz Healas, Editor

FFY2007 DBE GOALS

The Idaho Transportation Department (ITD) announces the following percentages for the Disadvantaged Business Enterprises (DBE) Annual Participation Goal (APG) in each Administrative Mode for United States Department of Transportation (USDOT)-assisted contracts during Federal Fiscal Year 2007 (FFY07). The goals are: **10% percent for Federal Aviation Administration (FAA); 11% percent for Federal Highway Administration (FHWA); and 10% for Federal Transit Administration (FTA).**

ITD has filed information regarding the methodology used in the establishment of the APG with FAA, FHWA and FTA. This information is available for inspection at the ITD Equal Employment Opportunity (EEO) Office, 3311 West State Street, in Room 207, Boise, Idaho during normal business hours for 30 days following the date of this notice.

Comments on any of the three goals may be sent for 45 days following the date of this notice to: Julie Caldwell, ITD EEO Contract Compliance Officer, P.O. Box 7129, Boise, Idaho 83707-1129. Comments on the FAA goal may be sent to Christine Whitehead, External Program Manager, Federal Aviation Administration, NW Mountain Region, 1601 Lind Ave, SW Anm – 9, Renton, Washington 98055. Comments on the FHWA goal may be sent to Sharon Scarr, FHWA Fi-

(Continued on page 3)

IMPORTANT CHANGE TO PW LICENSING

In late March, the **Idaho Public Works Contractors License Board** sent letters to all Public Works License holders alerting them to an important administrative rule change to the financial requirements for obtaining/maintaining licensure.

Formerly, if a license applicant firm's financial resources did not meet the Board's requirements, the **applicant firm could indemnify its net worth and working capital** by using a third party's assets to meet the minimum requirements for licensure.

However, as of July 1,

indemnification will no longer be possible. Businesses who formerly (or had planned to) rely on it will now have two options:

1. Furnish written references (personal, business, financial, etc.) from such sources as their bankers, verifying the appli-

cant firm's financial qualifications for licensure; or

2. Submit letters from a bonding company (not an insurance agent), stating the amount of the applicant firm's bonding capability, along with supporting documentation.

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To see our complete DBE Directory, visit on-line at:

www.itd.idaho.gov/civil/dbeforms.htm

This listing is updated to our website on the first Monday of every month.

WELCOME NEW DBEs!

Whayne and Sons Enterprises, Inc.

Richard M. Whayne, Jr., President
4955-B Peoria Street, Denver, CO 80239
Phone: (303) 375-8000 Fax: (303) 375-9215
E-mail: whayne1@aol.com
Janitorial Services.

Interested in becoming a DBE, but don't know the certification process? Watch our slideshow at www.itd.idaho.gov/civil/Slideshow.pps



Where in Idaho is this?

Hint: Over 48 feet tall and 40 tons, this wind-carved geological feature balances precariously on a pedestal only 3 feet by 17 inches.

Would you prefer to receive this monthly newsletter by e-mail? Tell us! We can make it happen.



[Answer to the May Issue:
Cataldo Mission, off I-90.]

DBE Supportive Services Staff

Liz Healas, DBE Supportive Services Coordinator	(208) 334-8567
elizabeth.healas@itd.idaho.gov	
Debby McCarthy, DBE Assistant	(208) 334-4442
debby.mccarthy@itd.idaho.gov	
Facsimile Machine	(208) 332-4190
Toll-Free Number	(800) 634-7790


Visit us on-line at www.itd.idaho.gov/civil/external.htm

Office Location & Mailing Address:

3311 W. State St., Rm 207 / PO Box 7129, Boise, ID 83707
(Office Hours are 8am - Noon, 1pm - 5pm, Mountain Time)

The Idaho Transportation Department (ITD) is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. ITD assures that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any ITD service, program, or activity. The department also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. In addition, the department will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency.

July 2006

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4 Independence Day State Holiday 	5 Biz Loan Briefing SBA Boise (208) 334-1696 ex 336	6 Marketing Boot Camp Ontario BizCenter (541) 881-8822 ex 356	7 Slam the Door on the Killer 4 AGC Blackfoot (208) 344-2531 www.idahoagc.org	8 Beginning Biz ISBDC Boise (208) 426-3875 www.idahosbdc.org
9	10	11 Pre-Biz Workshop WSBDC Spokane (509) 358-7890 www.wsbdc.org	12 Biz Plans ISBDC Salmon (208) 523-1087 ex 204 www.idahosbdc.org	13 ABC's of Loans Hispanic Cultural Center Nampa (208) 334-9004 ex 349	14 Slam the Door on the Killer 4 AGC Boise (See contact info above)	15
16	17	18 Flagging & Traffic Control LCSC Workforce Trg Lewiston (208) 792-5272 www.lcsc.edu/wft	19	20 Beginning Recordkeeping WSBDC Spokane (509) 358-7890 www.wsbdc.org	21 Trademarks & Copyrights ISBDC Twin Falls (208) 732-6455 www.csi.edu/support/isbdc	22
23	24	25 Biz Plan Feasibility WSBDC Spokane (509) 358-7890 www.wsbdc.org	26 Flagging & Traffic Control NIC Workforce Trg Post Falls (208) 769-3444 http://workforcetraining.nic.edu	27 Slam the Door on the Killer 4 AGC, McCall (See contact info above)	28	29
30	31					

(DBE GOALS, Continued from page 1)

nancial and Civil Rights Program Manager, 3050 Lakeharbor Lane, Suite 126, Boise, Idaho 83703. Comments on the FTA goal may be sent to Herman Payton, Civil Rights Officer, Federal Transit Administration, Region Ten, 915 Second Ave. Suite 3142, Seattle, Washington 98174-1002. Comments will be for information purposes only.



Yes, we do have an annual DBE Goal — we're just not setting individual DBE project goals at this time!

As we discussed in the January issue of **The DBE News**, a 2005 Ninth Circuit Court of Appeals decision (*Western States Paving Co. v. State of Washington Dept. of Transportation*) prompted the US Department of Transportation (USDOT) to issue DBE Program guidance last December to all the states affected by the 9th Federal Judicial Circuit (Idaho, Alaska, Arizona, California, Hawaii, Montana, Nevada Oregon and Washington).

(Continued on page 7)

Mujeres Unidas de Idaho (MUI)

brings Latinas in Idaho together to examine and take action on issues affecting our communities. MUI develops new Latina leaders in our communities so each new leader takes an active role in society. Visit MUI at

www.muji.esunidasidaho.org

JOIN IN ON THE POWER OF MANY IN POCA TELLO!

Mujeres Unidas de Idaho, Idaho's Hispanic women's organization, is planning their 17th annual conference on July 21 and 22 at the Pond Student Union Building at Idaho State University. The conference is sponsored by the City of Pocatello Human Relations Advisory Board and the ISU Hispanic Education Task Force.

The theme for the conference is **The Power of Many**. The conference kicks off with a welcoming reception on Friday night, which allows conference participants to get to know one another and have some fun. Keynote speakers and workshops are scheduled on Saturday, followed by a barbecue for the entire family.

Conference registration is \$75, and includes housing, meals and annual dues to Mujeres Unidas de Idaho. Scholarships are available for individuals needing assistance with registration fees. Booths for vendors, businesses and service providers cost \$100, and help sponsor women who might otherwise not be able to attend.

For more information, contact Farhana Hibbert of IDAHO Unido, the statewide bilingual English/Spanish newspaper. Hibbert is the conference chair for the 2006 Mujeres Unidas de Idaho Conference. She may be reached at (208)234-7383.



Actually, they're **OI-G-Men** -- and Women — but their justice is still served cold!

BUSTED! TALES FROM THE OIG

Southeastern Pennsylvania Transit Authority (SEPTA) Contractor Ordered to Pay Over \$1.2 Million for DBE Fraud

On May 18, JMG Excavating Co. (JMG), Pottstown, PA, pled guilty in U.S. District Court in Philadelphia to mail fraud related to a DBE pass-through scheme on federally-funded transit contracts. JMG was sentenced the same day to pay \$1,277,152 in restitution to SEPTA and ordered to serve five years probation. JMG was also debarred from doing business with the government for five years.

Between August 1997 and February 2004, JMG obtained eight contracts from SEPTA totaling about \$7.8 million which required compliance with the DBE program. JMG circumvented those requirements by paying a

certified DBE, Pullins Dump Truck, a 2.5% 'fee' on all DBE subcontracted work (totaling some \$1.27 million) that was actually performed by JMG, but billed to SEPTA as DBE work.

As part of the sentencing, JMG has been ordered to institute 20% DBE participation on all its private contracts and to submit quarterly DBE use reports detailing DBE participation for the next five years. The ongoing investigation is being conducted jointly with the FBI and with assistance from SEPTA Office of the Inspector General (OIG).



IDAHO'S LEGAL SELF-HELP CENTER

Remember the old joke about that people who act as their own attorneys? (Answer: they have fools for clients.) However, some legal procedures are simple and straightfor-

ward enough that lawyers are not necessarily needed.

(Continued on page 5)

(LEGAL SELF-HELP, Continued from page 4)

That's why the Idaho Supreme Court, in conjunction with Idaho Legal Aid Services, launched a new **Self-Help Center** website to help self-represented people get a better understanding of non-criminal court procedures while increasing access to Idaho's courts.

Users can fill out the most commonly-used court forms by clicking on the form they want to fill out, and the questions they need to answer pop up one at a time until the entire form is filled out. The answers to the questions are automatically put into the form so a completed form may be printed out at the end of a session.

The questions not only make sure the entire form is completed but also make sure that the correct form was filled out.

This site became possible after the Idaho Supreme Court the past few years standardizing legal forms that used to vary from county to county. Idaho Legal Aid Services hopes this site will help about 25,000 people in its first year and about 45,000 in the second year.

The web address is **www.courtselfhelp.idaho.gov**. And in case you find yourself in over your head, there's also a directory of legal services available in Idaho. You can even search a complete attorney roster by district or by specialty areas.



Liens, Liens, Who's Got Liens?

For a quick, general overview of liens filed in the State of Idaho, visit

www.accessidaho.org

For an extra annual subscription fee, you can perform more detailed searches with actual images of the lien filing documents.

MORE FREE LEGAL ASSISTANCE!

The **Idaho Small Business Development Center (ISBDC)** offers so many free consulting services to start-up and developing businesses, it's hard to know where to begin.

For instance, did you know it coordinates law student/business client teams for help with basic contract issues, business entity formation and simple legal forms?

This service is free, but in order to be referred to the University of Idaho's Law

School for assistance, a business must be a pre-qualified as a viable ISBDC client.

There are ISBDCs in six locations throughout the state; to determine the office closest to you, visit **www.idahosbdc.org**. While you're at it, check into the ISBDC's other business client/student services such as the Idaho Virtual Incubator, too. Tell them Liz sent you!



*Typical Legal Assistant**

**Actual students may vary.*

DISASTER PREPAREDNESS

Disaster preparedness begins with having adequate insurance coverage – so business owners should review their policies to see what *isn't* covered. Businesses might consider "business interruption insurance," which helps to cover operating costs during the post-disaster shutdown period. Flood insurance in particular is essential. (Most of the 143,000 disaster loans made by the SBA after the Gulf

Coast hurricanes were for flood damage.)

To find out more about the National Flood Insurance Program, visit the website at **www.floodsmart.gov**.

The SBA offers tips on disaster preparedness at **www.sba.gov/disaster_recov/prepared/getready.html**. The Institute for Business and Home Safety (**www.ibhs.org**) also has information on protecting your home or business. The federal government's preparedness Web site **www.ready.gov** is another helpful resource.



Idaho Representative **Mike Simpson**. Catch up on his legislation at www.house.gov/simpson.

SIMPSON ANNOUNCES FUNDING FOR KEY PROJECTS AT MOUNTAIN HOME AFB

Congressman Mike Simpson, a Member of the House Appropriations Committee, applauded the Committee's approval last month of the fiscal year 2007 **Military Quality of Life and Veterans Affairs Appropriations Bill**. The bill includes funding to upgrade base housing and military facilities at Mountain Home Air Force Base.

The Military Quality of Life and Veterans Affairs Appropriations Bill includes \$1.53 million for the design of the Logistics Readiness Center at Mountain Home Air Force Base and

\$107.8 million for the replacement of 457 base housing units at the Base.

"I am very grateful the Subcommittee has included this vitally important funding for Mountain Home," said Congressman Simpson. "The Logistics Readiness Center will help ensure our nation's troops and equipment are prepared for whatever missions they may need to undertake, while World War II era housing must be updated to provide our airmen and their families with adequate housing."

DBE Benefit Alert!

Bonding

Normally, we would refer DBE firms seeking bonding to the **USDOT DBE Bonding Assistance Program**. Unfortunately, the program is still suspended (don't ask — long story). Options? DBEs located in the Northwest U.S. can seek bonding through **The Bond Shop**, normally the Bonding Assistance Program Surety for this region. The Bond Shop is located in Everett, WA; its agent, **Mary Fauré**, can offer help in writing bid, payment and performance bonds. Mary's number is (425) 317-3561/ Toll-Free (800) 726-8771 You can also e-mail her at maryf@thebondshop.net.

Or — the Small Business Administration (SBA) has its own **Surety Bond Program**. For more information, call the Boise District SBA Office at (208) 334-1696, or the Spokane Office at (509) 353-2811.

Where does the DBE Benefit come in? **DBE Supportive Services will provide Financial "Upgrade" Reimbursement of up to \$100** for the use of certified public accountants or other professional services in providing financials for obtaining business loans, or obtaining or upgrading bonds or public works licensure through September 30. Contact us for more details!

(PW Licensing, Continued from page 1)

The deletion of indemnification could potentially negatively affect many DBE Public Works License holders by lowering their license limits, which in turn will impact what projects they may be able to bid on as a prime or subcontractor.

To find out the standing of your level of licensure, and to discuss options for maintaining it, call the Idaho Public Works Contractors License Board at (208) 334-4057 / Toll Free (800) 358-6895. July 1 is coming up fast!



Remember! An **Idaho Public Works License** is **not** the same thing as an **Idaho Contractor Registration**. These are two different things! Visit <http://ibol.idaho.gov> for more information.

AT WHAT POINT DO YOU NEED A PW LICENSE?

Bidders submitting a proposal for **state-funded ITD contracts** shall be licensed in the correct type of class by the Idaho Public Works Contractors License Board **prior to submitting a bid**.

For contracts which are **federally-**

funded (wholly or partially), the successful bidder shall be licensed prior **to awarding the contract**.

Subcontractors that are required to be listed in the bid proposal shall possess a license of the type and class specified.

(COURT DECISION, Continued from page 3)

Basically, in order to gather sufficient evidence to support whether discrimination or its effects actually exist in USDOT federal-aid contracting, each state DOT should immediately begin conducting a “rigorous and valid study.”

Until that time, USDOT directs the Idaho Transportation Department to use only race/gender-neutral methods on all future federal-aid projects. **In other words, until ITD receives the results of a “rigorous and valid study” (a disparity study) showing the effects of discrimination on DBEs in this state, ITD will be setting no project goals.**

Does this mean that the DBE Program has been done away with? No, it does not. It means that many states, including Idaho, will be using race/gender-neutral means of getting DBE participation until the results of a disparity study have been received and analyzed. At that point, ITD will fine-tune its DBE goal-setting methodology in order to ensure that it is as narrowly tailored as possible in remedying the effects of discrimination on DBE firms.

In the meantime, prime contractors and consultants will continue to be encouraged to use DBE firms on all ITD-let projects, even in the absence of individual DBE project goals. This will all be counted as race/gender-neutral participation towards ITD’s existing overall Annual Participation Goal (APG) of 11% for this federal fiscal year.

These changes affect other 9th Federal Judicial Circuit recipients of USDOT funding as well — not only FHWA monies, but those from the Federal Aviation Administration (FAA) and the Federal Transit Administration (FTA). These include local transit authorities, airports, highway districts, metropolitan planning organizations, etc. ITD will be notifying these entities of FHWA’s program guidance.)

(Please note: states not located within the 9th Federal Judicial Circuit are **not** affected by the *Western States Paving Co. v. State of Washington Dept. of Transportation* Court of Appeals decision. DBE Programs as administered in those states should continue as before.)



What’s Our Game Plan?

We issue a **Request for Proposal (RFP) for a Disparity Study**, probably sometime next month. Watch this newsletter for more information as it becomes available to us!

As always, anyone having any questions about DBE Program administration are welcome to call Julie Caldwell, EEO Contract Compliance Officer, at (208) 334-8458.

FREE BID MATCHING FOR IDAHO FIRMS!

Would you like to get customized notification of regional projects coming up for bid? The Idaho Department of Commerce & Labor’s **Idaho Business Network** offers Bid Matching as a free service to all Idaho firms who elect to receive bid match notices via e-mail.

To sign up, visit www.idahoworks.com and choose “Gov’t Contracting.” Or you

can call **Sundi Cornmesser** at (208) 334-2650 ex. 2133.

The Idaho Business Network offers a lot of other great services to businesses trying to navigate the often confusing world of federal procurement. There’s also the annual Governor’s Business Opportunity Conference (scheduled to be held in Coeur d’Alene in November). Join up now, if you haven’t already!



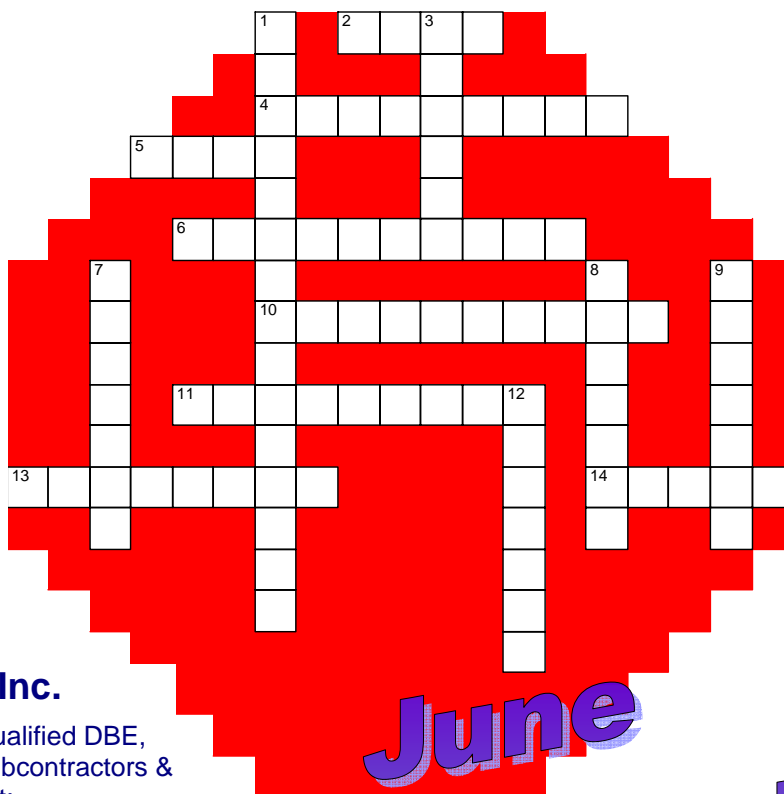
Do government procurement acronyms frighten you? They should! But the IBN can help translate them into English.

Down

1. PW CHANGE
3. NEWEST ENTERPRISES
7. INVITATION PART 2
8. SEPTA T
9. DBE BENEFIT
12. VETERANS CHAMPION

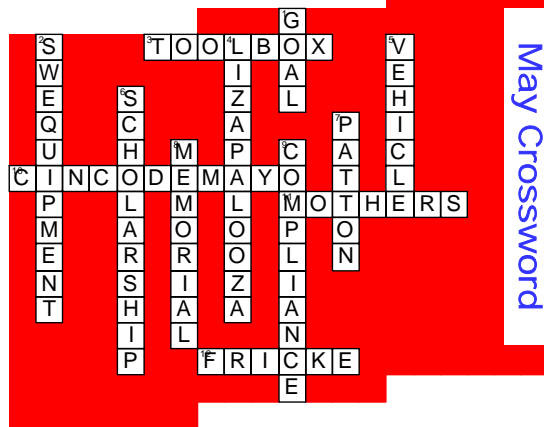
Across

2. 11 PERCENT GOAL
4. GAME PLAN STUDY
5. SPACE DOCTOR
6. POWER OF MANY
10. DISASTER WEB
11. KILLER 4
13. PRIME INVITATION
14. LEGAL COORDINATOR



Crossword

by **Debby McCarthy**



May Crossword

INVITATIONS To BID

McAlvain Construction, Inc.

requests sub bids & material quotes from qualified DBE, MBE, WBE, SBE, SDBE, DVBE and ESBE subcontractors & suppliers for the following project:

Boise Airport Passenger Loading Bridges & Ground Load Walkway Extension

Schedules 1A, 1B, 1C, 2 / F/B #06-079

B/O: June 14, 2006, 3:00 PM

Contact: **McAlvain Construction, Inc.**
5559 W. Gowen Road, Boise, Idaho 83709-5626
Phone: (208) 362-2125 FAX: (208) 362-4356

We are an equal opportunity employer

CONCRETE PLACING CO., INC.

invites subs, including DBEs, to bid on the following ITD project:

Curtis Road Underpass, IM-184-1(026)3

Ada County / Bidding June 20, 2006 at 2:000m

Possible bid packages to include: Asphalt Paving, Milling, Traffic Control, Engineering & Surveying, Concrete Guard-rail, Painting, Striping.

Contact: **Tom Ferguson**, Concrete Placing Co., Inc.
6541 W. Gowen Rd, Boise, ID 83709

Phone: (208) 362-2100 FAX: (208) 362-2220

NOTICE: Bidders shall make good faith efforts to qualify DBE contractors.

ITD HIGHWAY CONSTRUCTION PROJECT NOTIFICATION

For the quickest, most complete notification of these projects as they are put out for bid, visit ITD's "Contractor Information Page" at www.itd.idaho.gov/design/contractors/contrinfo.htm

This excellent resource features *Notice to Contractors*, which alerts you to all upcoming federal-aid and state highway construction projects let through ITD, and list specific details and quantities, the names of resident engineers, and a brief description of the work to be performed.

Also included is: *Quarterly Bidding*

Forecast, Planholder Lists (updated daily), *Bid Result and Bid Abstract Information*, and *Contract Award Information*.

Best of all, this information is **FREE** on the Internet.

However, if you don't have Internet access, you can also subscribe to ITD's *Notice To Contractors* by calling (208) 334-8430 (1-800-732-2098 within Idaho). There's an annual \$40 fee to cover postage fees.

Not all of ITD's projects open for bid are directly highway-related! Check out www.itd.idaho.gov/business/business.htm (**Bid Information—Non-Highway Construction Projects**)

for bid openings on maintenance buildings, rest areas, sand sheds, mowing, and other services posted by ITD's Purchasing Section.

DBES GET FREE NON-BIDDER'S PLANS & SPECS

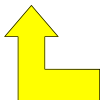
Idaho-Certified DBEs: remember to call DBE Supportive Services at (208) 334-4442 for *free* ITD Plans & Specifications if interested in bidding as a subcontractor.

Limit of ONE set of plans per project per DBE firm.

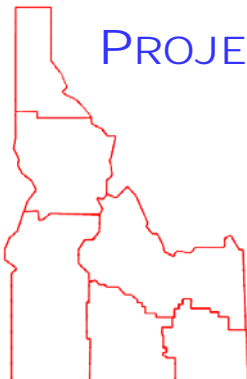


Deary, c. 1919

www.itd.idaho.gov/civil/invitations.htm



This is where we post **DBE Invitations to Bid** (when they're available). Primes, if you're looking for DBEs, post your notice with us!



PROJECT-RELATED QUESTIONS?

District 1	Coeur d'Alene	(208) 772-1200
District 2	Lewiston	(208) 799-5090
District 3	Boise	(208) 334-8300
District 4	Shoshone	(208) 886-7800
District 5	Pocatello	(208) 239-3300
District 6	Rigby	(208) 745-7781

Looking for the Non-ITD Projects Listings?

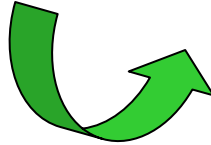
They're only available to our DBEs through **weekly e-mails**. (Much faster & more timely!)

If you're a DBE and would like to receive these, please contact us so we can add you to our distribution list.

Idaho Transportation Department

DBE Supportive Services

A DBE is a small, for-profit business concern that is at least 51% owned and controlled by socially and economically disadvantaged individuals.



Goals of the DBE Program

This program is designed to foster equal opportunity for minority, female and disadvantaged business owners on federal-aid transportation projects, and for helping them improve their business efficiency and flexibility.



This Month in History

June 18, 1983: First American Woman in Space

*From Cape Canaveral, Florida, the space shuttle Challenger is launched into space on its second mission. Aboard the shuttle was **Dr. Sally Ride**, who as a mission specialist became the first American woman to travel into space. During the six-day mission, Ride, an astrophysicist from Stanford, operated the shuttle's robot arm, which she had helped design.*

Idaho Transportation Department
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First Class Mail
US Postage Paid
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Permit No. 1443

We're on the Web! Visit us at www.itd.idaho.gov/civil/dbeforams.htm